

Brunswick Planning Commission
Minutes
September 22, 2003

Commission Members Present: Chair Ed Gladstone, Vice Chair Don Krigbaum, Secretary Connie Koenig, Council Liaison Walt Stull, Wayne Dougherty, and Ellis Burruss, Alternate

Mayor & Council Present: Brent Bell and Tom Smith

Staff Present: City P & Z Administrator Rick Stup and County Planning Liaison Carole Larsen

Chairman Gladstone called the meeting to order at 7:00 PM

Minutes

The minutes of July 28, 2003 meeting were reviewed and approved with minor corrections to be made by Staff. (MOTION by Mr. Burruss and seconded by Mr. Stull, unanimously passed.)

Chairman

Mr. Gladstone requested all those in attendance that were going to speak on any of the cases, to rise and be sworn in. He administered the oath.

Old Business

None

New Business

Zoning – Site Plans - Improvement Plans

84 lumber Company Retail Facility: Request for Improvement Plan approval for the retail facility, located on the west side of Maple Avenue, south of West Potomac Street. Zoning Classification: I-1, BR-SP-03-03-IP

Staff Presentation and Recommendation

Mr. Stup presented the Staff Report for the Improvement Plans for the retail facility.

Staff recommends approval of the Improvement Plans with the following conditions:

FRO Plans are approved.

Site Plan conditions are satisfactorily addressed and the Site Plan is signed by the Commission Chair.

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Letter of Understanding and the Developer's Option Letter, if needed, are executed prior to Improvement Plan signature by the Commission Chair.
All required PWA, guarantees, easements, agreements, etc. associated with the City's Development Process are completed prior to construction.
Satisfactorily address agency comments.
Applicant bound by their testimony.

Mr. Stup answered questions with regard to the application.

Applicant

Mr. Chris Smariga, Harris, Smariga & Assoc., presented the applicant's case with Christina Toras, Steve Thienel, Joe Caloggero, and Bruce Dean.

Public Comment

Bob Cianflone asked how many trucks were estimated to use the facility daily.

Rebuttal

None.

Decision

Mr. Krigbaum made a motion to approve the request in accordance with Staff Recommendation; Ms. Koenig seconded the motion.

Vote: Yea 5 Nay 0

Habitat for Humanity: Request for Improvement Plan approval for 8" sanitary sewer extension, located in A Street between Ninth Avenue and Tenth Avenue. Zoning Classification: R-1, BR-IP-03-03

Staff Presentation and Recommendation

Mr. Stup presented the Staff Report for the extension of the sanitary sewer in A Street.

Staff recommends approval of the Improvement Plan with the following conditions:

All required PWA, guarantees, easement, etc. associated with the City's Development Process are completed prior to construction.
Satisfactorily address agency comments.
Staff Report

Mr. Stup answered questions with regard to the application.

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Applicant

Mr. Billy Shrieve, President of Habitat for Humanity, presented the applicant's case with Dan Lavelle, Lavelle & Associate.

Public Comment

None.

Rebuttal

None

Decision

Mr. Dougherty made a motion to approve the request in accordance with Staff Recommendation; Mr. Krigbaum seconded the motion.

Vote: Yea 5 Nay 0

Galyn Manor, Construction Phase I (LPG Dry Line Plans): Request for approval of dry LPG lines, located at Galyn Drive and MD Rte 464. Zoning Classification: PUD, BR-PUD-01-PIII-PI-LPG

Mr. Krigbaum recused himself from the case.

Staff Report and Presentation

Mr. Stup presented the Staff Report for the construction of dry LPG lines in Construction Phase I.

Staff recommends approval of the Dry LPG Line Plan for Development Phase I with the following conditions:

- Dry lines only are constructed.
- City inspects the construction at the expense of the applicant.
- The construction be subject to the Draft Right-of-way (Utility) Permit Process and the requirements of the Design Manual for utility construction.
- Site Plan for tanks, distribution equipment, tank farm, distribution area/facility, etc. to be submitted and approved prior to use of the dry lines.
- PWA and guarantee, if necessary, for inspection and construction.
- All required county permits must be obtained.
- Use of the dry lines is subject to a Franchise Fee currently under study by the Mayor & Council.
- Applicant bound by their testimony.

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Mr. Stup answered questions with regard to the plan, Staff Recommendation and the Facility Site Plan.

Applicant

Mr. Gary Nuse, Thompson Gas, presented the applicant's case and answered Commission questions.

Public Comment

Bob Cianflone asked if LPG service would be for other parts of the City.

Rebuttal

None.

Decision

Mr. Stull made a motion to approve the plan in accordance with Staff Recommendation; Ms. Koenig seconded the motion.

VOTE: Yea 5 Nay 0

Zoning - Site Plans

Galyn Manor (Temporary Sales Center): Request for approval to permit the temporary sales center to remain until January 30, 2004, located at Galyn Drive and MD Rte 464.
Zoning: PUD, BR-SP-03-02

Mr. Krigbaum recused himself from the case.

Staff Presentation and Recommendation

Mr. Stup presented the Staff Report for the temporary sales center.

Staff recommends approval of the request to extend Condition # 7 of the original approval to January 30, 2004 with the condition that no further extensions will be granted and a full Site Plan submission in accordance with the submission schedule is required if additional time is needed.

Mr. Stup answered questions with regard to the request.

Applicant

No applicant presentation.

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Public Comment

Kim Cable asked if the sales center was connected to City water and sewer.

Rebuttal

None

Decision

Mr. Burruss made a motion to approve the request in accordance with Staff Recommendation; Mr. Stull seconded the motion.

VOTE: Yea 5 Nay 0

Subdivision – Public Improvement Plans

Galyn Manor, Construction Phase II: Request for approval of the Construction Phase II Improvement Plans, located north of Galyn Drive, west of MD Rte 464. Zoning Classification: PUD, BR-PUD-01-PIII-P2-IP

Mr. Krigbaum recused himself from the case.

Staff Presentation and Recommendation

Mr. Stup presented the Staff Report for the Construction Phase II Improvement Plans.

Since there are mainly technical issues that need to be resolved or issues that require Preliminary Plat revisions, Staff recommends approval of the Improvement Plans with the following conditions:

A revised Preliminary Plan be submitted and approved that reflects the design changes, street elimination, panhandle/common access design and other issues listed in the Staff Report.

Revisions based on Staff's review of the HOA documents.

FRO Plans approved to the satisfaction of the FRO Reviewer.

PWA, easements, guarantee, etc. process in accordance with City Development Procedures be approved.

Portable hydrant water meters (2-4) be required to be furnished to the City for construction work, as required by City DPW.

Joint Use and Maintenance Agreement be furnished for lots 232-235 & HOA.

LPG lines shown on the plans.

Address agency comments.

Applicant bound by their testimony.

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Mr. Stup answered questions with regard to the plans and the panhandle lots.

Mr. Burruss commented on the Landscape Plan and specific proposed trees for the applicant to review.

Ms. Koenig questioned the right-of-way widths at the roundabout near the main entrance.

Applicant

Mr. Randy Frey, Rodgers Consulting presented the applicant's case and answered questions.

Ken Adams, Thompson Gas, answered questions with regard to LPG gas service for Phase II.

Public Comment

None.

Rebuttal

None

Decision

Ms. Koenig made a motion to approve the request in accordance with Staff Recommendation; Mr. Dougherty seconded the motion.

VOTE: Yea 5 Nay 0

Zoning - PUD

Brunswick Crossing PUD: Request for Phase I PUD Plan approval, located east of Jefferson Pike, south of Burkittsville Road, west of Petersville Road. Zoning Classification: R-1, R-2, RS and OS; Water and Sewer Classification W-4, S-4; BR-PUD-03-01-PI

Mr. Gladstone swore in latecomers wishing to testify.

Staff Presentation and Recommendation

Mr. Stup presented the Staff Report for the Phase I PUD Plan approval. He stated that the Zoning Ordinance requires the Planning Commission to formulate a recommendation to the Mayor and Council. That recommendation is to be based on the following:

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The relationship of the proposed PUD to the Master Plan, the Zoning Ordinance, and other applicable regulations and guidelines.

The general location of the site and its relationship to existing land use in the immediate vicinity.

The long-term implications on subsequent local development patterns and the demand for public facilities and services in the City and neighboring county.

The topography and the relationship of the proposed uses to existing natural and man-made features, both on-site and in the immediate vicinity.

The PUD's proposed construction schedule and how it relates to the provision of the public services and facilities.

The availability of water and sewer facilities.

The Justification Statement adequately addresses these items with the added notations on the plan.

Staff finds that the plan and application meets the requirements of the Zoning Ordinance. Therefore, Staff recommends approval of the Phase I PUD Plan with the following conditions:

The Justification Statement be revised to address Staff's comments prior to the Mayor and Council public meeting.

Address appropriate agency comments.

Applicant held to their testimony.

Mr. Stup answered questions with regard to the plan and stated that pending the outcome tonight the case was tentatively scheduled for Mayor and Council on October 28, 2003.

Applicant

Mr. Jerry Connelly, Pleasants Development, presented the applicants case. He was accompanied by Krista McGowan, Miles and Stockbridge, and Lou Iaquina, IKO Development.

Messrs. Connelly and Stup answered Ms. Koenig's interconnection question and Mr. Burruss' Justification Statement questions, and general Commission questions.

Public Comment

Bob Cianflone questioned the topography stating that his questions are more for the Phase II and III Plan.

Kim Cable had concerns about the traffic, location and ownership of the Fire Company new location, and what was to be done with the portions of the farms outside the city limits.

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Charles Leopold and Clarence Webb stated the Fire Company's desires for ownership of the new parcel.

Fulton Brylawski spoke of his intentions to petition for annexation of his 15 acres +/- between this project and the Daugherty tract both already in the City. He wanted to ensure that satisfactory connections would be made for extension into his parcel.

Rebuttal
None.

Decision
Ms. Koenig made a motion to approve the Phase I PUD Plan request in accordance with Staff Recommendation and that the recommendation be forwarded to the Mayor and Council; Mr. Dougherty seconded the motion.

VOTE: Yea 5 Nay 0

Public Comment
None.

Adjournment
The meeting was recessed at 8:40 PM until September 24 at 7:00 PM.

Respectfully submitted,

Connie Koenig, Secretary
Brunswick Planning Commission